

TITLE 473
SOCIAL SERVICES FOR AGED AND DISABLED ADULTS

CHAPTER 1-000 ADMINISTRATION

1-001 Legal Basis

1-001.01 Federal Law: Each state designs its own Social Services Program to meet the needs of its population. This title describes the adult services program established by the Nebraska Department of Social Services (NDSS) to provide and coordinate services to aged and disabled people.

1-001.02 State Statute: Article 12, Reissue Revised Statutes of Nebraska, 1943. Section 68-1202 states, "Social Services may be provided on behalf of recipients with payments for such social services made directly to vendors" and lists mandatory and optional services to clients.

Section 68-703, R.R.S., 1943, lists the duties of the Director of NDSS, including the power to, "establish rules and regulations for efficiently administering the department and performing the duties assigned to it." According to Section 68-1204, the Director of the Department of Social Services "may promulgate rules and regulations, enter into agreements, and adopt fee schedules with regard to social services described in Section 68-1202."

1-002 Agency Organization: The Social Services Program is a statewide operation.

1-002.01 Central Office: Central Office staff are responsible for service program management, development, and accountability and fiscal control.

1-002.02 Local Offices: Local staff ensure that federal and state regulations are upheld, that clients' rights are protected, and that clients' needs are served. A determination of eligibility for applicants who do not meet the requirements outlined in this title is misappropriation of public funds. Local responsibilities are divided into the following areas.

1-002.02A Case Management: Local staff responsible for case management act as the central control of each client's case. It is their responsibility to -

1. Assess client needs;
2. Determine client eligibility;

3. Arrange and authorize provision of appropriate services, using an approved provider;
4. Periodically review the service plan; and
5. Provide information and referral.

1-002.02B Resource Development: Local staff assigned resource development duties are responsible for the following:

1. Resource recruitment;
2. Provider approvals and contracts;
3. Staff development and training;
4. Provider training; and
5. Public relations and public information activities.

1-002.02C Service Administration: Administrative staff are responsible to -

1. Review and edit social services documents;
2. Review and analyze reports;
3. Complete necessary accounting and research reports;
4. Provide analysis of statistical data; and
5. Consider clients' needs, mandated policies, and administrative dictates in determining -
 - a. Staffing needs;
 - b. Training needs;
 - c. Facilities;
 - d. Intra-agency policies and procedures;
 - e. Budgeting;
 - f. Data support; and
 - g. Client processing.

1-003 Definitions

Adverse Action: A determination by the worker that the service(s) provided to a client will be reduced or terminated.

Emancipated Minor: A child age 18 or younger is considered emancipated if s/he has -

1. Married; or
2. Moved away from the parent's home and is self-supporting.

Follow Up: The maintenance of any necessary contact with a client to monitor the continued appropriateness of service.

Prudent Person: The practice of assessing all circumstances regarding case eligibility and using good judgment in requiring further verification or information before determining initial or continuing eligibility.

1-004 Service Client Appeal: Every service applicant or client has the right to appeal for a fair hearing in relation to the following:

1. Determination that the applicant is not eligible to receive social services;
2. Denial of service;
3. Termination or reduction of service; or
4. Inaction or improper actions of the local service unit.

Exception: A client is not entitled to a fair hearing when either state or federal law requires automatic case adjustments for classes of clients unless the reason for an individual appeal is incorrect eligibility determination.

1-004.01 Local Unit Responsibilities Regarding Appeals: The local unit shall -

1. Inform each applicant of his/her right to file an appeal with the Director;
2. Inform the applicant/client of the method for filing an appeal;
3. Inform the applicant/client that s/he may designate an authorized representative or that s/he may represent himself/herself at the hearing;
4. Inform the client that service will continue unchanged until a hearing decision is made if a fair hearing is requested in writing within ten days of the date Form DSS-6, "Client's Notice of Action," was mailed (see 473 NAC 2-006.03D); and
5. Refer to IX-8200 ff. for instructions on appeals procedures.

1-005 Summary of Forms: The following forms are used by local offices to administer the Social Services Program for adults. Instructions for these forms are contained in the appendix at the end of this title:

<u>Form Number</u>	<u>Form Title</u>	<u>Appendix Reference</u>
DPW-1	Request for Assistance and/or Services	473-000-10
DPW-19	Client Referral	473-000-11
DPW-46	Authorization for Investigation	473-000-12
DPW-100	De-Institutionalization Referral	473-000-13
DSS-2A	Social Service Exception	473-000-21
DSS-3A	Social Services Application	473-000-22
DSS-3B	Physician's Disability Determination	473-000-23
DSS-4	Case Information Summary	473-000-25
DSS-4A	Social Services Provider Authorization	473-000-26
DSS-4C	Service Provider Notification	473-000-27
DSS-5B	Social Services Billing Document	473-000-28
DSS-6	Client's Notice of Action	473-000-29
DSS-8	Agency Service Provider Agreement	473-000-30

<u>Form Number</u>	<u>Form Title</u>	<u>Appendix Reference</u>
DSS-8A	Agency Service Provider Agreement Amendment	473-000-31
DSS-9	Individual Service Provider Agreement	473-000-32
DSS-10	Social Service Provider Identification	473-000-33
DSS-60	Adult Abuse/Neglect Report	473-000-39
DSS-0151	Chore Service Provider Check List	473-000-50
DSS-0251	Adult Day Service Provider Check List	473-000-60
DSS-0750	Adult Family Home Application	473-000-70
DSS-0751	Adult Family Home Sponsor Medical Report	473-000-71
DSS-0752	Adult Family Home Agreement	473-000-72
DSS-0753	Adult Family Home Inspection Referral	473-000-73
DSS-0754	Evaluation of Adult Family Home	473-000-74
DSS-0755	Adult Family Home Certificate	473-000-75
DSS-0926	Request for State Health Department Investigation	473-000-80
DSS-1052	Home Delivered or Congregate Meals Provider Check List	473-000-90
DSS-1053	Weekly Menu Plan	473-000-91
DSS-1054	Approved Meals Service Vendor Meals Specification List	473-000-92
DSS-1151	Homemaker Provider Check List	473-000-100
DSS-1153	Homemaker Weekly Time Sheet	473-000-101
DSS-1154	Homemaker Service Task List	473-000-102
DSS-1650	Abuse/Neglect Hotline Intake Form	473-000-120
DSS-1851	Transportation Review Guide and Check List	473-000-130
IRS-2678	Employer Appointment of Agent	473-000-140
PDS-100	Client Identification Data	473-000-150
SDX-260	SDX Master File by County	473-000-160
SS-1610	Social Security -- Public Assistance Agency Information Request and Report	473-000-170

1-006 Title Organization: Title 473, "Social Services for Aged and Disabled Adults," is divided as follows:

1. Chapter 1-000, "Administration";
2. Chapter 2-000, "Application and Eligibility";
3. Chapter 3-000, "Social Services Providers";
4. Chapter 4-000, Reserved;
5. Chapter 5-000, "Defined Services" -
 - a. Chore Service (Section 5-001);
 - b. Adult Day Services (Section 5-002);
 - c. Alternate Care Service (Section 5-007);
 - d. Home Delivered and Congregate Meals Service (Section 5-010);
 - e. Homemaker Service for Adults (Section 5-011);
 - f. Adult Protective Services (Section 5-015);
 - g. Transportation Services for Adults (Section 5-018); and
 - h. Special Services for Mentally Retarded Persons (Section 5-019); and
6. Chapter 6-000, "Supportive Services" -
 - a. Adult Family Homes (Section 6-001); and

- b. Reporting Unlicensed Facilities and Homes (Section 6-002).